#### HEARING DATE: 2/3/10 AT 9:30 A.M.

TOGUT, SEGAL & SEGAL LLP One Penn Plaza, Suite 3335 New York, New York 10119 (212) 594-5000 Frank A. Oswald James J. Lee

Bankruptcy Counsel for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re: Chapter 11

Case No. 09-14398 (AJG)

CABRINI MEDICAL CENTER,

:

Debtor.

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# PROPOSED AGENDA FOR HEARING SCHEDULED FOR FEBRUARY 3, 2010 AT 9:30 A.M.

Location of Hearing: United States Bankruptcy Court for the Southern District of

New York, Alexander Hamilton U.S. Custom House, Room

523, One Bowling Green, New York, NY 10004

The matters set for hearing are divided into the following categories for the purposes of this Proposed Agenda:

- A. UNCONTESTED MATTER
- B. CONTESTED MATTER

#### A. UNCONTESTED MATTER:

1. Debtor's Application for Entry of an Order Authorizing the Debtor to (a) Retain Great American Group. LLC as Liquidation Consultant, and (b) Sell Certain Assets Located at the Debtor's Premises Free and Clear of Liens, Claims and Encumbrances [Docket No. 238].

Responses Due: January 29, 2010 at 4:00 p.m.

#### Related Documents:

- (a) Affidavit of Service [Docket No. 253]; and
- (b) Exhibit 1.1 to Liquidation Agreement regarding Debtor's Application for Entry of an Order Authorizing the Debtor to (a) Retain Great American

Group. LLC as Liquidation Consultant, and (b) Sell Certain Assets Located at the Debtor's Premises Free and Clear of Liens, Claims and Encumbrances [Docket No. 250].

Status: This matter is going forward at 9:30 a.m.

Estimated Time: 5 minutes.

## B. **CONTESTED MATTER:**

1. Debtor's Motion to Approve (i) the Sale of Its Real Property and Related Assets Free and Clear of Liens, Claims, Encumbrances, and Other Interests, and (ii) The Assumption and Assignment of Executory Contracts in Connection with Such Sale [Docket No. 182].

Responses Due: January 27, 2010 at 4:00 p.m.

## **Related Documents:**

- (a) Affidavit of Service of Motion [Docket No. 186];
- (b) Amended Exhibits to Debtor's Motion (Docket No. 207];
- (c) Order signed on 12/30/2009 approving bidding procedures, the time, date, place and form of notice for the auction and sale hearing and break-up fee, termination rights and related security interest, and establishing the date and time for a sale hearing with respect to the Debtor's real property and related assets [Docket No. 224];
- (d) Affidavit of Service of Order (A) Approving (I) Bidding Procedures, (II) The Time, Date, Place And Form Of Notice For The Auction And Sale Hearing, And (III) Break-Up Fee, Termination Rights And Related Security Interest, And (B) Establishing The Date And Time For A Sale Hearing With Respect To The Debtors Real Property And Related Assets [Docket No. 234];
- (e) Supplemental Affidavit of Service of Notice of Auction and Hearing to Consider Approval of Sale of Debtor's Real Property and Related Assets [Docket No. 242]; and
- (f) Second Supplemental Affidavit of Service of Notice of Auction and Hearing to Consider Approval of Sale of Debtor's Real Property and Related Assets [Docket No. 264]; and
- (g) Certifications of Publication of Notice of Auction and Sale Hearing [Docket No. 276].

## Responses:

- (a) Objection of GPDDC, L.L.C. to Motion to Sell Assets Free and Clear of Liens, Claims and Encumbrances and Other Interests [Docket No. 194]; and
- (b) Limited Objection of Sun Life Assurance Company of Canada (Docket No. 195];
- (c) Limited Objection of John F. Reilly to Motion [Docket No. 267]; and
- (d) Limited Objection of Philips Medical Systems (Cleveland), Inc. to Motion of Cabrini Medical Center for Approval of Sale of Real Property and Related Assets [Docket No. 268].

## Replies:

- (a) Debtor's Reply to: (I) Limited Objection of Sun Life Assurance Company of Canada to Debtor's Motion, Inter Alia, for Order Approving Break-Up Fee to Stalking Horse Bidder Secured by Priming Lien, and (II) Objection of GPDDC, L.L.C. to Debtor's Motion to Sell Assets Free and Clear of Liens, Claims, Encumbrances, and Other Interests [Docket No. 202];
- (b) Declaration of Vincent A. Carrega in Support of Debtor's Reply to Objection of Sun Life Assurance Company of Canada to Payment of Breakup Fee to Stalking Horse Bidder Secured by a Post-Petition Priming Lien [Docket No. 203];
- (c) Sun Life Assurance Company of Canada's (i) Response to Limited Objection and Reservation of Rights of John F. Reilly and (ii) Reservation of Rights with Respect Thereto [Docket No. 274]; and
- (d) Debtor's Omnibus Response to: (i) Objection of GPDDC, L.L.C. to Debtor's Motion to Sell Assets Free and Clear of Liens, Claims, Encumbrances and Other Interests; (ii) Limited Objection of Philips Medical Systems (Cleveland), Inc. to Motion of Cabrini Medical Center for Approval of Sale of Real Property and Related Assets; and (iii) John F. Reilly's Limited Objection and Reservation of Rights [Docket No. 275].

Status: This matter is going forward at 10:00 a.m.

<u>Estimated Time:</u> 15 minutes.

Dated: New York, New York

February 2, 2010

TOGUT, SEGAL & SEGAL LLP Bankruptcy Counsel for the Debtor and Debtor in Possession By:

/s/Frank A. Oswald FRANK A. OSWALD A Member of the Firm One Penn Plaza, Suite 3335 New York, New York 10119 (212) 594-5000